

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

LUIS ALEJANDRO GARZA

VS.

THE UNITED STATES OF  
AMERICA

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CIVIL ACTION NO. B-02-154  
FEDERAL TORT CLAIMS ACT

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**EXHIBIT "5"**

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AT&T Yahoo! Mail - barry57@sbcglobal.net

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**YAHOO! MAIL**

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**Date:** Wed, 14 Jun 2006 15:23:54 -0700 (PDT)

**From:** "Barry Benton" <barry57@sbcglobal.net>

**Subject:** Luis Garza

**To:** Nancy.Masso@usdoj.gov

Nancy,

I had a hard time printing the inmate information you sent me, but I seemed to get the bulk of it. I do not have the info. on Danny Schertz (06100-112) or L.D. Richardson (23087-077). Please provide it.

I still do not have a date to visit/photograph the rec. yard at Three Rivers. Could you get me a date on a Friday, preferable in the afternoon? When there, I'd like to interview the two witnesses still there, Frasier and Guzman.

Also, for the inmates still under supervised release, Tijerina, Coleman, Ontiveros-Castro and Brock, could you provide me with their address and phone number. You know they have to provide that to the government.

As to the witnesses in other prisons, Haynes and Guzman, Texarkana; Hammons, Beaumont; Montemayor, Yazzo City; Martinez, Otisville; and, Cabrera-Piris, Oklahoma City, could you give me the exact name and address of the facility so that I may write them to learn what they know?

The court did not rule on my in camera inspection request or on the issues of the photographs or the isolated camera depictions of the rec. yard and weight-lifting area. I made the request for the photos back in April of 2004. The prosecutor couldn't have destroyed the file at that time. My plan is to wait and see your responses to my last paper discovery and then file a motion.

Please write or call me (546-9900) about the issues and requests.

Cordially yours,  
Barry R. Benton